REMARKS

Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

In the official action the Examiner requested that the Applicant provide further explanation and discussion concerning the phrase "not having a default operative orientation", and that the Applicant reference this phrase in the specification in order to provide support for the amendment.

Applicants express their appreciation to Examiner Manuel Mendez for the courtesy of a personal interview, which was granted to Applicants' representative, Sanford T. Colb (Reg. No. 26,856), on November 28, 2006, at the USPTO. The substance of the interview is set forth in the Interview Summary.

In the interview, the pending claims as amended above were discussed vis-à-vis the prior art of record. The Interview Summary Record states, in relevant part, "It was agreed that the proposed amendment overcomes the pending rejections; Applicant will file an amendment to implement the proposed amendments setting forth support in the specification".

Applicant apologizes for the fact that in the amendment filed on December 12, 2006, following the November 28, 2006 interview with the Examiner, the Applicant did not amend claim 1 as discussed in the interview.

Applicant has now amended claim 1 to correspond to the claim language discussed in the November 28, 2006 interview. Thus, claim 1 now reads:

"An anesthesia manifold, comprising a plurality of valves which are mounted onto a manifold element, each of said plurality of valves having a stopcock-type configuration including an inlet adapted to receive fluid to be administered to a patient and an outlet communicating with said manifold element, an open aspiration/backflow/purge/sample operative orientation and a second operative orientation which is pressure responsive for flow from said inlet through said outlet into said manifold element."

Support for the phrase "including an inlet adapted to receive fluid to be administered to

a patient and an outlet communicating with said manifold element" is found at the first full paragraph of page 16 of the of the amendment filed on April 21, 2006, which includes the amended specification, which reads: "Body 707 includes an inlet 715 which is adapted for the receipt of anesthesia drugs or other fluids which are to be administered to a patient, and an outlet 717 which allows flow through the manifold and toward the patient."

Support for the phrase "an open aspiration/backflow/purge/sample operative orientation" is found at the fourth full paragraph of page 15 of the of the amendment filed on April 21, 2006, which includes the amended specification which reads: "In the aspiration/backflow/ purge/sample mode of operation, an individual valve is utilized to withdraw fluids from the patient through the IV line, to allow aspiration of the valve and IV line, to purge the valve, or to obtain a blood sample. The aspiration/backflow/purge/sample mode of operation can be utilized to withdraw samples, typically utilizing a syringe".

Support for the phrase "second operative orientation which is pressure responsive for flow from said inlet through said outlet into said manifold element" is found at the third full paragraph of page 15 of the amendment filed on April 21, 2006, which includes the amended specification, in Fig. 3 and in the description thereof, specifically at the first full paragraph of page 17 of the amendment filed on April 21, 2006, which includes the amended specification. In the above referenced locations, the amended specification reads: "In the pressure-activated flow mode of operation, an individual valve is connected to a syringe which is utilized to push anesthesia drug through the individual valve into the IV line... Figure 3 depicts the valve 701 in a pressure-activated flow mode of operation... As is shown, ring 705 includes flap members 771, 773, which extend downward into the flowpath when the core 703 is rotated to change the mode of operation... Fluid flowing inward through inlet 715 will push flap 773 radially inward and will flow under and around flap 773... Flap 771 will move radially outward in response to flow moving from inlet 715 to outlet 717".

The following discussion is included for the sake of the record only.

Devos et al describes: "A manifold has a manifold body defining a fluid flow pathway therethrough. The manifold body has a plurality of valves, at least one of which is a check valve ... By being positioned within the manifold body, the check valve is reinforced and stabilized within the manifold" (Abstract). As mentioned by the Examiner in the office action mailed July

17, 2006, Devos et al does not show or suggest the valves included in the manifold having a pressure responsive operative orientation.

Leys et al describes: "When the interior pressure of the pressurizable portion 72 is at a non actuating low pressure state... the spring 112 forces the diaphragm 76 and valve stem 16 to move into a first position and causes the valve seat engaging portion 58 of the first valve member 52 to sealingly engage the first valve seat 38 of the flow portion 30... When the interior pressure of the pressurizable portion 72 is at an actuating higher pressure state, the diaphragm 76 and the valve stem move into a second position... where valve seat engaging portion 58 of first valve member 52 seats on and sealinging engages the second valve seat 40, but is not sufficient to force the second valve member 54 through or into the second valve seat" (Column 5, lines 36 – 56).

The valve described by Leys et al includes a pressure responsive operative orientation, however this pressure responsive operative orientation is not for flow "from said inlet through said outlet to said manifold element", as recited in amended claim 1.

Brody describes: "The multi-ported valve assembly includes a valve body having a plurality of individual ports disposed in a common plane and a common port having its axis disposed perpendicularly to the common plane of the individual ports. The valve assembly includes a selector means having a body portion designed to engage the valve body and provide selective communication between one of the individual ports and the common port" (Abstract). However, Brody does not show or suggest the valve having a pressure responsive operative orientation as recited in amended claim 1 above.

Onodera describes: "A multi-way cock comprises a housing including a cylinder having a plurality of branch tubes extending from the periphery thereof, and a plug including a barrel adapted to be rotatably fitted in the cylinder and having a corresponding plurality of channels formed therein, the channels corresponding to the branch tubes in assembled condition" (Abstract). However, Onodera does not show or suggest a valve having a pressure responsive operative orientation as recited in amended claim 1 above.

Peltonen describes a pressure control system and apparatus for the cuff of an automatic blood pressure meter. The device described by Peltonen senses the pressure in a pressure meter cuff, and adjusts the pressure within the cuff according to the sensed pressure. However, the pressure sensing described by Peltonen is not used to change an operative orientation of the cuff.

Additionally, one of ordinary skill in the art would not be motivated to combine the invention described by Peltonen in a valve forming part of a manifold as described by Devos et al, as the devices thereof are completely different and employ different mechanisms.

Monigold et al describes a mechanical engine protection system including a temperature responsive valve, a pressure sensing valve and a mechanical shutdown actuator. With reference to the pressure sensing valve, Monigold specifically states: "Coil spring 210 biases valve element 192 away from seat 196 and drain port 34" (Column 6, lines 15-17). Thus, the pressure sensing valve described by Monigold has an open default operative orientation, contrary to the recitation in amended claim 1 above.

As discussed with the Examiner during the interview held on November 28, 2006, claim 1 as amended overcomes the prior art of record. Thus, claim 1 as amended is deemed patentable over the prior art of record and favorable reconsideration is respectfully requested. Claims 2 and 5-8 depend directly or ultimately from the above mentioned independent claim and recite additional patentable subject matter and therefore are deemed patentable.

In view of the foregoing remarks and amendments, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

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